

Atty. Dkt. No. 088473-0136

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wataru ISHIMARU
Title: GEAR CHANGE-SPEED UNIT FOR AUTOMATIC TRANSMISSION
Appl. No.: 10/619,459
Filing Date: 07/16/2003
Examiner: T. D. Lewis
Art Unit: 3681

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, JATCO Ltd , having its principal place of business at 700-1, Imaizumi, Fuji-shi, Shizuoka 417-8585 Japan, represents that it is the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/619,459, filed July 16, 2003, by virtue of an Assignment filed and recorded on July 16, 2003, on Reel/Frame 014284/0773, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX A. Further, your Petitioner represents that it is the owner of U.S. Patent Application No. 10/343,924, filed February 6, 2003, by virtue of an Assignment filed and recorded on February 6, 2003, on Reel/Frame 013977/0705, in the United States Patent and Trademark Office, a copy of which is attached hereto as APPENDIX B.

Your Petitioner, JATCO Ltd , hereby disclaims the terminal part of the term of any patent granted on U.S. Patent Application 10/619,459 which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application 10/343,924, and hereby agrees that any patent so granted on U.S. Patent Application 10/619,459 shall be enforceable only for and during such period that the legal title to any patent granted on U.S. Patent Application 10/343,924 shall be the same as the

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legal title to any patent granted on U.S. Patent Application 10/619,459, this agreement to run with any patent granted on U.S. Patent Application 10/619,459 and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on U.S. Patent Application 10/619,459, prior to the full statutory term of any patent granted on U.S. Patent Application 10/343,924 as defined in 35 U.S.C. §§154-156 and 173, in the event that any patent granted on U.S. Patent Application 10/343,924 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC §154, prior to the full statutory term of any patent granted on U.S. Patent Application 10/343,924 as defined in 35 USC §§154-156 and 173, except for the separation of legal title stated above. Further, Petitioner does not disclaim any terminal part of a patent granted on U.S. Patent Application 10/619,459 that would extend beyond the present termination of any patent granted on U.S. Patent Application 10/343,924, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on U.S. Patent Application 10/619,459 to the extent provided by law.

The undersigned, being the Attorney of Record for U.S. Patent Application 10/619,459, and duly authorized to act on behalf of Petitioner, certifies that he has reviewed the Assignments attached as APPENDICES A and B, and to the best of his knowledge and belief, legal title to U.S. Patent Application 10/619,459 and any patent granted on U.S. Patent Application 10/343,924 rests with Petitioners, JATCO Ltd . The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such

willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date FEB 09 2005

By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5490
Facsimile: (202) 672-5399

Richard L. Schwaab
Attorney for Applicant
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 29, 2004

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FOLEY & LARDNER
PAVAN K. AGARWAL
WASHINGTON HARBOUR
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RECORDATION DATE: 07/16/2003

REEL/FRAME: 014284/0773

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ISHIMARU, WATARU

DOC DATE: 07/09/2003

ASSIGNEE:

JATCO LTD

700-1, IMAIZUMI

FUJI-SHI, SHIZUOKA 417-8585, JAPAN

SERIAL NUMBER: 10619459

FILING DATE: 07/16/2003

PATENT NUMBER:

ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1595 (modified)

(Rev 6-93)

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07-22-2003

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U.S. DEPARTMENT OF COMMERCE

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To the Director of the United States Patent and Trademark Office

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Attached original documents or copies thereof.

1. Name of conveying party(ies):

Wataru ISHIMARU

FEB 09 2005

Additional conveying party(ies) attached?

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

July 9, 2003

2. Name and address of receiving party(ies):

JATCO Ltd
700-1, Imaizumi
Fuji-shi, Shizuoka 417-8585 Japan

21910 U.S. PTO
10/619459
07/16/03

4. Application number(s) or patent number(s):

10619459

If this is being filed together with a new application, the execution date of the application is:

July 9, 2003

A. Patent Application Number(s):

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Pavan K. Agarwal
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

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8. Deposit account number: 19-0741

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Pavan K. Agarwal

Name of person signing

Signature

July 16, 2003

Date

Total number of pages including cover sheet, attachments, and document: 3

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ASSIGNMENT

U.S. Rights - Sole or Joint

P03JTC012US

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and
address of
assignee

JATCO Ltd
700-1, Imaizumi, Fuji-shi,
Shizuoka 417-8585 Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to his invention relating to

title of
invention

GEAR CHANGE-SPEED UNIT FOR AUTOMATIC TRANSMISSION

as set forth in his/her United States Patent Application

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(X) executed concurrently herewith
() executed on _____
() Serial No. _____ Filed _____

in and to said United States Patent Application including any and all divisions or continuations and Convention applications based in whole or in part on said invention or upon said application, including the right to make applications for Letters Patents throughout the world in respect to the invention and to claim priority under the International Convention for the Protection of Industrial Property, and in and to any and all Letters Patent of any country which may issue on any such application or for said invention, including any and all reissues, reexaminations, or extensions, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not be made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he/she has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he/she has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees that at any time upon request of said ASSIGNEE, its successors, legal representatives or assigns he/she will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him/her relating to said invention or patent application and that he/she will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues, reexaminations, or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

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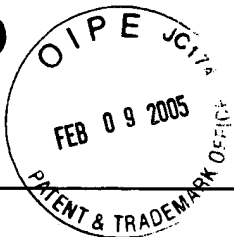
names and
signatures
of
inventors

Wataru Ishimaru date 07/09/2003 date _____
Name: Wataru Ishimaru Name: _____

_____ date _____ date _____
Name: _____ Name: _____



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PATENT AND
TRADEMARK OFFICE



SEPTEMBER 17, 2003

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PAVAN K. AGARWAL
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143



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RECORDATION DATE: 02/06/2003

REEL/FRAME: 013977/0705
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
ISHIMARU, WATARU

DOC DATE: 01/21/2003

ASSIGNOR:
SUMI, YASUO

DOC DATE: 01/22/2003

ASSIGNEE:
JATCO LTD
700-1, IMAIZUMI
FUJI-SHI, SHIZUOKA 417-8585, JAPAN

SERIAL NUMBER: 10343924
PATENT NUMBER:

FILING DATE: 02/06/2003
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
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ASSIGNMENT

U.S. Rights - Sole or Joint

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For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

name and
address of
assignee

JATCO Ltd
700-1, Imaizumi, Fuji-shi,
Shizuoka 417-8585 Japan

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to his invention relating to

title of
invention

GEAR SHIFT CONTROL APPARATUS FOR AUTOMATIC TRANSMISSION

as set forth in his/her United States Patent Application

check one

- () executed concurrently herewith
() executed on _____
(☒) Serial No. PCT/JP02/05183 Filed May 29, 2002

in and to said United States Patent Application including any and all divisions or continuations and Convention applications based in whole or in part on said invention or upon said application, including the right to make applications for Letters Patents throughout the world in respect to the invention and to claim priority under the International Convention for the Protection of Industrial Property, and in and to any and all Letters Patent of any country which may issue on any such application or for said invention, including any and all reissues, reexaminations, or extensions, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not be made;

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Each of the undersigned further covenants and agrees that at any time upon request of said ASSIGNEE, its successors, legal representatives or assigns he/she will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him/her relating to said invention or patent application and that he/she will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues, reexaminations, or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

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names and
signatures
of
inventors

Wataru Ishimaru date 01/21/2003 *Yasuo Sumi* date 01/22/2003
Name: Wataru Ishimaru Name: Yasuo Sumi

Name: date Name: date

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Attached original documents or copies thereof.

1. Name of conveying party(ies):

Wataru ISHIMARU (01/21/03)
Yasuo SUMI (01/22/03)

2-6-03

2. Name and address of receiving party(ies):

JATCO Ltd
700-1, Imaizumi
Fuji-shi, Shizuoka 417-8585 Japan

Additional conveying party(ies) NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

See dates above

Additional name(s) & address(es) attached? NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of January 21 and 22, 2003
the application is:

A. Patent Application Number(s):

2/19/2003 MKAYPA6H 00000018 10343924

A FC:8021

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B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence
concerning document should be mailed:Pavan K. Agarwal
FOLEY & LARDNER
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3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved: 1

7. Total fee (37 C.F.R. § 3.41): \$40.00

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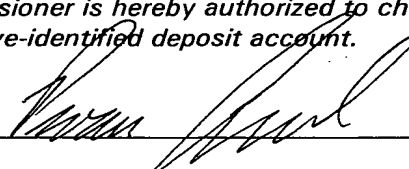
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Pavan K. Agarwal

Name of person signing



Signature

February 6, 2003

Date

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